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Amendments to Claims

Claim 1. (**Currently Amended**) A ~~An isolated~~ carotenoid overproducing *E. coli* bacteria comprising the genes encoding a functional carotenoid enzymatic biosynthetic pathway wherein the *dxs*, *idi* and *ygbBP* genes are overexpressed and wherein the *yjeR* gene is down regulated and wherein the *dxs*, *idi* and *ygbBP* and *yjeR* genes are derived from either *E. coli* or *Methylomonas*.

Claim 2. (**Currently Amended**) A ~~An isolated~~ carotenoid overproducing bacteria *E. coli* comprising the genes encoding a functional carotenoid enzymatic biosynthetic pathway wherein the *dxs*, *idi*, *ygbBP* and *ispB* genes are overexpressed, and wherein the *dxs*, *idi*, *ygbBP* and *ispB* genes are derived either from *E. coli* or *Methylomonas*.

Claim 3. (**Currently Amended**) The carotenoid overproducing bacteria *E. coli* of Claim 1 or 2 wherein the *lytB* and *dxr* gene is optionally overexpressed and wherein the *lytB* and *dxr* genes are derived from *E. coli* or *Methylomonas*.
~~*ispB*, *lytB* and *dxr*, *yjeR*~~

Claim 4. (**Currently Amended**) The carotenoid overproducing bacteria *E. coli* of Claim 1 or 2 wherein the carotenoid enzymatic biosynthetic pathway consists of the genes *dxs*, *dxr*, *ygpP*, *ychB*, *ygbB*, *lytB*, *idi*, *ispA*, *ispB*, *crtE*, *crtB*, *crtI*, and *crtY*.

Claim 5. (**Currently Amended**) The carotenoid overproducing bacteria *E. coli* of Claim 4 wherein the carotenoid enzymatic biosynthetic pathway optionally additionally comprises the *crtZ* and *crtW* genes.

Claim 6-8. (**Canceled**)

Claim 9. (**Currently amended**) The carotenoid overproducing bacteria *E. coli* of ~~any of Claims 1-3~~ of Claims 1 or 2 wherein the *dxs*, *idi*, *ispB* and *ygbBP* genes are under the control of a strong promoter.

Claim 10. (**Currently Amended**) The carotenoid overproducing bacteria *E. coli* of Claim 9 wherein the strong promoter is selected from the group consisting of *lac*, *ara*, *tet*, *trp*, *AP_L*, *AP_R*, *T7*, *tac*, *P_{T5}*, and *trc*.

Claim 11. (**Currently amended**) The carotenoid overproducing bacteria *E. coli* of ~~any of Claims 1-3~~ either of Claims 1 or 2 wherein the *dxs*, *idi*, *ispB* and *ygbBP* genes are integrated in multicopy in the bacterial chromosome.

Claim 12. (**Currently amended**) The carotenoid overproducing bacteria *E. coli* of ~~any of Claims 1-3~~ either of Claims 1 or 2 wherein the *dxs*, *idi*, *ispB* and *ygbBP* genes are present in multicopy in the bacteria on one or more plasmids.

Claim 13. (**Currently Amended**) The carotenoid overproducing bacteria of Claim ~~17~~ wherein the *yjeR* gene is down regulated by gene disruption.

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Claim 14. (Currently Amended) The carotenoid overproducing bacteria *E. coli* of Claim 13 wherein the disrupted *yjeR* gene has the nucleotide sequence as set forth in SEQ ID NO:63.

Claim 15. (Currently amended) The carotenoid overproducing bacteria *E. coli* of either of ~~any of Claims 1-3~~ Claims 1 or 2 wherein the *dxs*, *idi*, *ispB*, *ygbBP* and *lytB* genes are chromosomally integrated into the host cell genome.

Claim 16. (Currently Amended) A carotenoid overproducing bacteria *E. coli* selected from the group consisting of: a strain having the ATCC identification number PTA-4807 and a strain having the ATCC identification number PTA-4823.

Claim 17. (Withdrawn) A method for the production of a carotenoid comprising:

- a) growing the carotenoid overproducing bacteria of any of Claims 1-5, the bacteria overexpressing at least one gene selected from the group consisting of *dxs*, *idi*, *ygbBP*, *ispB*, *lytB*, *dxr*, wherein *yjeR* is optionally downregulated, for a time sufficient to produce a carotenoid; and
- b) optionally recovering the carotenoid from the carotenoid overproducing bacteria of step (a).

Claim 18. (Withdrawn) A method according to Claim 17 wherein the carotenoid is selected from the group consisting of antheraxanthin, adonixanthin, astaxanthin, canthaxanthin, capsorubrin, β -cryptoxanthin, dihydrolycopene, dihydrolycopene, β -carotene, ζ -carotene, δ -carotene, γ -carotene, keto- γ -carotene, ψ -carotene, ϵ -carotene, β , ψ -carotene, torulene, echinenone, gamma-carotene, zeta-carotene, alpha-cryptoxanthin, diatoxanthin, 7,8-didehydroastaxanthin, fucoxanthin, fucoxanthinol, isorenieratene, β -isorenieratene, lactucaxanthin, lutein, lycopene, neoxanthin, neurosporene, hydroxynurosporene, peridinin, phytoene, rhodopin, rhodopin glucoside, siphonaxanthin, spheroidene, spheroidenone, spirilloxanthin, uriolide, uriolide acetate, violaxanthin, zeaxanthin- β -diglucoside, zeaxanthin, and C30-carotenoids.

Claim 19. (Withdrawn) A method according to Claim 18 wherein the carotenoid is produced at a level of at least about 6 mg per gram dry cell weight.

Claim 20. (Withdrawn) A method according to Claim 18 wherein the bacteria is selected from the group consisting *Agrobacterium*, *Erythrobacter*, *Chlorobium*, *Chromatium*, *Flavobacterium*, *Cytophaga*, *Rhodobacter*, *Rhodococcus*, *Streptomyces*, *Brevibacterium*, *Corynebacteria*, *Mycobacterium*, *Deinococcus*, *Paracoccus*, *Escherichia*, *Bacillus*, *Myxococcus*, *Salmonella*, *Yersinia*, *Erwinia*, *Pantoea*, *Pseudomonas*, *Sphingomonas*, *Methylobacter*, *Methylococcus*, *Methylosinus*, *Methylobacterium*, *Methylocystis*, *Alcaligenes*, *Synechocystis*, *Synechococcus*, *Anabaena*, *Thiobacillus*, *Methanobacterium*, *Klebsiella*, and *Myxococcus*.

Claim 21. (Withdrawn) A method according to Claim 20 wherein the bacteria is *E. coli*.

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Claim 22. **(Withdrawn)** A method according to Claim 17 wherein the *dxs*, *idi*, *ygbBP*, *ispB* and *lytB* genes are under the control of a promoter selected from the group consisting of *lac*, *ara*, *tet*, *trp*, λP_L , λP_R , *T7*, *tac*, *P_{TS}*, and *trc*.

Claim 23. **(Withdrawn)** A method according to Claim 17 wherein the *dxs*, *idi*, *ispB*, *ygbBP* and *lytB* genes are integrated in multicopy in the bacterial chromosome.

Claim 24. **(Withdrawn)** A method according to Claim 17 wherein the *dxs*, *idi*, *ispB*, *ygbBP* and *lytB* genes are in multicopy in the bacteria on one or more plasmids.

Claim 25. **(Withdrawn)** A method according to Claim 17 wherein the *yjeR* gene is down regulated by gene disruption.

Claim 26. **(Withdrawn)** A method according to Claim 25 wherein the disrupted *yjeR* gene has the nucleotide sequence as set forth in SEQ ID NO:63.

Claim 27. **(Withdrawn)** A method according to Claim 17 wherein the *dxs*, *idi*, *ispB*, *ygbBP* and *lytB* genes are chromosomally integrated into the host cell genome.